

Law Offices of Stephen Abraham
hen E. Abraham, Esq. (State Bar No. 172054)
stephen@abraham-lawoffices.com
1592 Pegasus Street
Newport Beach, California 92660
Telephone: (949) 878-8608
Facsimile: (714) 852-3366

Attorney for Defendant Jonalyn Montiel Nguyen

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Brian Whitaker,

Plaintiff,

v.

Jonalyn Montiel Nguyen,

Defendant.

Case No. 4:21-cv-04336-HSG

**RESPONSE OF COUNSEL FOR
DEFENDANT TO ORDER TO
SHOW CAUSE**

[Doc. 48]

The undersigned counsel, herewith responds to the Court's order to show case for failure to appear at the case management conference. I sincerely apologize to the Court, its staff, and to opposing counsel for the failure to appear. The failure was mine entirely and was the result of the hearing not being correctly calendared. While it appeared on my internal docketing system, it was not reflected in my calendar that is promulgated amongst my various devices, including computer and mobile devices. I was away from the office earlier and had checked the mobile calendar but not cross-checked the desktop calendar and docketing system. Had I done so, I would have realized that the hearing was not posted and would have corrected it right away. I have implemented additional measures to makes sure that this does not reoccur.

1 With respect to the rescheduled hearing, I have confirmed that it appears on
2 all calendars.

3 On the basis of the foregoing, I respectfully request that the order to show
4 cause be discharged and no sanctions imposed.

5
6 Respectfully submitted.

7 Dated: April 6, 2022

LAW OFFICES OF STEPHEN ABRAHAM

9 By: /s/ Stephen E. Abraham

10 Stephen E. Abraham

11 Attorney for Defendant

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is: 1592 Pegasus Street, Newport Beach, California 92660.

On April 6, 2022, I served the foregoing document described as:
RESPONSE OF COUNSEL FOR DEFENDANT TO ORDER TO SHOW CAUSE thereon on all interested parties in this action as follows:

CENTER FOR DISABILITY ACCESS
Amanda Seabock, Esq., SBN 289900
Prathima Price, Esq., SBN 321378
Dennis Price, Esq., SBN 279082
Mail: 8033 Linda Vista Road, Suite 200
San Diego, CA 92111
(858) 375-7385; (888) 422-5191 fax
amandas@potterhandy.com

Representing Plaintiff

e-Filing pursuant to Court order

Executed on April 6, 2022, at Newport Beach, California.

I declare under penalty of perjury under the laws of the State of California
that the above is true and correct.

/s/ Stephen E. Abraham
Stephen E. Abraham